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WAR FOOD ADMINISTRATION
Washington, D. C.

June 10, 1943

ADMINISTRATOR'S MEMORANDUM NO. 15

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U. S. DEPARTMENT OF AGRICULTURE

Requisitioning of (1) Food for Human or Animal
Consumption and (2) Other Personal Property

When any agency of the War Food Administration requires the requisitioning of food for human or animal consumption or of other personal property, the means are hereby provided to facilitate such action. 1/ This memorandum also provides for the exercise within the War Food Administration of the general authority of approval of proposals for requisitioning and disposal of food for human or animal consumption, whether such proposal is initiated by an agency of the War Food Administration or by other agencies of the Government. 2/

To effectuate these purposes, it is hereby ordered that:

I. Requisitioning and disposal of food for
human or animal consumption

(a) Approval. Jesse W. Tapp, Associate Administrator (hereinafter referred to as the Requisitioning Officer), is hereby authorized to determine whether any proposal for the requisitioning and disposal, disposal other than that previously approved, or the return to the original owner of food for human or animal consumption is consistent with the war food program. Where the proposal is submitted by an agency of the War Food Administration, he shall also determine whether the facts submitted by such agency warrant the findings and conclusions required under the requisitioning acts. He may consider and act upon any proposed requisition separately from the proposed disposal in

1/ Pursuant to Executive Orders 8942, as amended, and 9334, the War Food Administrator may requisition food for human or animal consumption or other personal property under the requisitioning acts (Act of October 10, 1940 (54 Stat. 1090); as amended by the Act of July 2, 1942 (56 Stat. 467), and Act of October 16, 1941 (55 Stat. 742), as amended by Title VI of the Second War Powers Act, 1942 (56 Stat. 176)).

2/ Pursuant to Executive Orders 8942, as amended, and 9334, the War Food Administrator has been authorized to determine whether any proposal for the requisitioning and disposal of food for human or animal consumption, whether initiated by an agency of the War Food Administration or by any other Government agency, is consistent with the war food program.

accordance with section 1598.3(b) of the Regulations for Requisitioning Food for Human or Animal Consumption. All determinations made by him shall be transmitted in writing to the Government Department or agency or the agency within the War Food Administration initiating the proposal.

(b) Action initiated within the War Food Administration. Whenever any agency of the War Food Administration requires the requisitioning of food for human or animal consumption or desires to dispose of such food in a manner other than that previously approved, or to return it to the original owner thereof, such agency shall submit to the Requisitioning Officer in writing all pertinent information with respect to such proposal. This proposal shall be in the form and include the information indicated by the outline attached.

(c) Action following approval. In the event the Requisitioning Officer approves, under paragraph (a) hereof, any proposal submitted by an agency of the War Food Administration, he shall proceed as a Requisitioning Authority, pursuant to section 1598.2 of the Regulations for Requisitioning Food for Human or Animal Consumption, with such assistance as he may require from the agency initiating the proposal.

When any such property has been requisitioned it shall be turned over to the agency initiating the proposal for requisitioning, to be disposed of by such agency in accordance with the disposal approved by the Requisitioning Officer.

II. Requisitioning and disposal of property other than food for human or animal consumption

(a) Requisitioning authority within the War Food Administration. The Requisitioning Officer shall also act as Requisitioning Authority on behalf of the War Food Administration under the provisions of sections 902.1 and 902.2 of the War Production Board Regulations Under the Requisitioning Acts for the requisitioning of property other than food for human or animal consumption.

(b) Action within the War Food Administration. Whenever any agency of the War Food Administration requires the requisitioning of property other than food for human or animal consumption, or desires to dispose of such property in a manner other than that previously approved by the War Production Board, or to return it to the original owner thereof such agency shall submit in writing all pertinent information with respect to such proposal to the Requisitioning Officer, who shall determine whether the facts presented warrant the findings and conclusions required under the requisitioning acts, and, if warranted, after obtaining approval from the War Production Board, shall proceed with the requisitioning, with such assistance as he may require from the agency initiating the proposal.

When any such property has been requisitioned, it shall be turned over to the agency initiating the proposal for requisitioning, to be disposed of in accordance with the disposal approved by the Chairman of the War Production Board.

III. General provisions applicable to all requisitioning action within the War Food Administration

(a) Information to be submitted by initiating agency. A proposal for the requisitioning of any property submitted to the Requisitioning Officer by an agency of the War Food Administration shall include the following data:

A description of the property and a showing:

(1) that such property is needed for the defense of the United States or for the prosecution of the war, was procured for and has been denied export; or

(2) that such property is (a) needed for the defense of the United States, (b) the need therefor is immediate and impending and such as will not admit of delay or resort to any other source of supply, (c) that all other means of obtaining the use thereof for the defense of the United States upon fair and reasonable terms have been exhausted, and (d) the property is not a firearm possessed by any individual for his personal protection or sport, possession of which is not prohibited by existing law.

Any property, other than real property, meeting the requirements of either (1) or (2) above is subject to requisitioning.

(b) Records and reports. In any case in which food for human or animal consumption is requisitioned or disposed of, or a determination of compensation or of a person entitled thereto is made, or property is returned to the original owner thereof, the Requisitioning Officer, as to such actions by any agency of the Government, shall prepare a report in reasonable detail concerning all such action, at least every six months, for presentation by the War Food Administrator to the President.

In any case in which the property concerned is other than food for human or animal consumption, within the War Food Administration, the Requisitioning Officer shall report in reasonable detail concerning any such action to the Chairman of the War Production Board in accordance with section 902.2(e) of the War Production Board Regulations Under the Requisitioning Acts.

(c) Forms. The legal forms to be used in connection with the requisitioning of food under this memorandum have been prepared by the Solicitor and will be available as needed. In requisitioning and disposing of property other than food for human or animal consumption, forms approved by the General Counsel of the War Production Board are required to be used.

(d) Indemnity bonds from claimants. A surety bond may be accepted as indemnity in the case of a payment to a doubtful claimant.

IV. Delegation

The Requisitioning Officer may exercise any power, duty, or discretion vested in him under this memorandum through such employees of the War Food Administration as he may designate.

Any existing memoranda in conflict herewith are superseded.

Chester C. Davis

War Food Administrator

Attachment

SUGGESTIONS FOR USE BY AGENCIES OF THE WAR FOOD
ADMINISTRATION OF PROPOSAL FOR REQUISITIONING
AND DISPOSAL OF PROPERTY

1. A designation by name or initials should be inserted in front of the word "No." at the head of the submission to indicate the agency submitting the proposal. Each agency should number its submissions serially.
2. The name of the agency submitting the proposal should be inserted in the first line of the text.
3. It should be borne in mind that the purpose of the information required is to enable the War Food Administrator to determine whether the facts warrant the findings and conclusions required to be made before property can be requisitioned, and whether the proposed requisitioning and disposal is consistent with the war food program. The facts should therefore be given in considerable detail.
4. The form should be submitted in triplicate, two of the copies of which should be executed by the head of the agency submitting the proposal. One executed copy, showing the War Food Administrator's determination, will be returned to the agency submitting the proposal.

PROPOSAL BY AN AGENCY OF THE WAR FOOD ADMINISTRATION
FOR REQUISITIONING AND DISPOSAL OF PROPERTY
UNDER ACT OF OCTOBER 16, 1941, AS AMENDED

Date: _____

No. _____

The _____ herewith submits to the War Food Administrator the following proposal for the requisitioning and disposal of property.

1. Description of property: (In as great detail as possible, specifying quantity, quality, shapes, sizes, etc. The specifications may be set forth in an attached statement.)
2. Factual evidence that the property is needed for the defense of the United States.
3. Facts showing that the need for requisitioning is immediate and impending and such as will not admit of delay or resort to any other source of supply.
4. Facts showing that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted.

5. Present location:

Name of holder

Address

6. Beneficial owner (if known):

Name

Address

7. All other persons known to have or claim an interest in the property:

Names

Addresses

8. Intended use or disposition of property by present owners:

9. Persons to whom the submitting agency proposes to sell or otherwise dispose of the property:

10. Use to be made of the property by persons described in 9:
11. Fund to be obligated:

Determination of the War Food Administrator

The War Food Administrator hereby certifies that he has determined that the facts presented in the above proposal warrant/do not warrant the findings and conclusions required under the Act of October 16, 1941, as amended, and that the requisitioning and disposal proposed is/is not consistent with the war food program.

Dated _____, 194____.

WAR FOOD ADMINISTRATOR

By _____
Associate Administrator

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WAR FOOD ADMINISTRATION
Washington 25, D. C.

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OCT 10 1943
U. S. DEPARTMENT OF AGRICULTURE

October 5, 1943

ADMINISTRATOR'S MEMORANDUM NO. 15, SUPPLEMENT 1

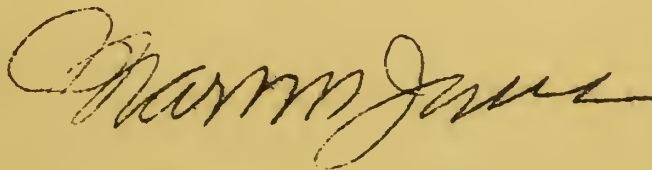
Requisitioning of (1) Food for Human or Animal
Consumption and (2) Other Personal Property

In connection with requisitioning of property by the War Food Administration, both of food for human or animal consumption and of other property, the State Department has requested that the Legation of Switzerland be notified in the event property is requisitioned belonging to the Governments of Italy, Bulgaria, the former Government of France, or any nationals of these countries.

Hereafter, the forms transmitted to potential claimants of requisitioned property will require a statement as to the nationality of the claimant.

When any claim is filed showing the claimant is a Government of one of the countries named, or a national thereof, immediate notice shall be given to the Division of Purchase, Sales, and Traffic of the Office of Budget and Finance of the Department for transmittal to the Legation of Switzerland.

Mr. Roy F. Hendrickson, Director of Food Distribution, is hereby designated requisitioning officer in place of Mr. Jesse W. Tapp, former Associate Administrator.



Administrator

MEMORANDUM

TO : Mr. Tolson

FROM : Mr. Clegg

SUBJECT: [Illegible]

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